

City of Milwaukee

City Hall 200 East Wells Street Milwaukee. WI 53202

Meeting Minutes - Final LICENSES COMMITTEE

ALD. JAMES A. BOHL, JR., CHAIR
Ald. Milele A. Coggs, Vice-Chair
Ald. Ashanti Hamilton, Ald. T. Anthony Zielinski, and Ald. Nik
Kovac

Staff Assistant, Tobie Black (414) 286-2231 Fax: (414) 286-3456, E-mail:tblack@milwaukee.gov

Monday, March 8, 2010 8:00 AM Room 301-B, City Hall

Meeting called to order at 8:10 a.m.

Present 5 - Bohl, Coggs, Hamilton, Zielinski, Kovac

1. <u>091467</u>

Communication from the Office of the City Attorney regarding the Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) licenses of Ladybug Club, LLC (618-622 North Water Street).

Sponsors: THE CHAIR

Individual appearing:

Assistant City Attorney Bruce Schrimpf

A motion was made by ALD. KOVAC that this Communication be RECOMMENDED FOR PLACING ON FILE. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

2. 091377

Motion relating to the new application for a food dealer license of Joes Construction Service, LLC for the premises 848 N. 27th Street doing business as "NNR Retail and Wholesale Tobacco" in the 4th Aldermanic District.

Sponsors: THE CHAIR

Individuals appearing:

Yousef Ali, applicant, 2635 W. Kilbourn Ave. Ald. Robert Bauman, 4th District Alderman Mutaz Khatib, partner in the LLC Ofc. Steven Witkowski, District 3 Community Prosecution Unit Roseanne Mathias, owns a property at 2415 W. Kilbourn Ave. Pat Dunn, 951 N. 29th St. Chris Mandel, 2932 W. State St.

Ald. Bauman says that the applicants should submit a new application that specifies what the business will be selling as well as a plan of operation.

Atty. Schrimpf says that since the e-mail from Ald. Bauman references the part of the city code that includes overconcentration as a valid reason for objection, the letter to the applicant provides adequate notice of overconcentration as a possible objection.

Ald. Kovac moves to enter a concentration map centered on 848 N. 27th St. dated March 4, 2010 part of the record. Prevailed 5-0.

Atty. Schrimpf says that the copy of the city ordinance that was sent to the applicant by the Health Department was not the updated one that addresses overconcentration as a basis for objection. Therefore, the issue of overconcentration cannot be addressed.

Ald. Coggs moves to hold the matter to the call of the chair. Prevailed 5-0.

A motion was made by ALD. COGGS that this Motion be HELD TO CALL OF THE CHAIR. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

8:15 A.M.

3. 091260

Motion relating to the recommendations of the Licenses Committee relative to licenses.

Sponsors: THE CHAIR

12 DRAGOLOVICH, James D., Center for the Visual and Performing Arts application for "Carte Blanche Studios" at 1024 S. 5th Street. Location

New

Special Letter

Applicant at the table. David Luhrssen, 2525 Southshore Dr., art expert, also at the table.

Mr. Luhrssen says that the theater is displaying works from artists that are well-known locally.

Grant by Ald. Zielinski. Prevailed 5-0.

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

04 GORSKI, Kris H., Agent for "MNelson Creditor, LLC", Class "B" Tavern-Service Bar Only application for a sidewalk café for "Cuvee" at 181 N. Broadway. New Location

Applicant at the table, 2180 S. 87th St. Mei-lyn Nelson, 445 Prospect Dr., Brookfield, and Ald. Robert Bauman also at the table.

Ald. Bauman says that he has no objections.

Ald. Coggs moves to grant. Prevailed 4-0. (Ald. Kovac excused)

A motion was made by ALD. COGGS that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Hamilton and Zielinski

No 0

Excused 1 - Kovac

08 ALUSEVSKI, Fikri, Agent for "Frank & Barb's Silver City Bar, Inc.", Tavern Dance application for "Frank & Barb's Silver City Bar" at 3530 W. National Avenue. Special Letter

Applicant at the table, 10561 S. Peggy Lane, Oak Creek. Ald. Robert Donovan also at the table.

No neighborhood objectors present when called.

Ald. Kovac moves to grant. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No C

Meeting recessed at 9:21 a.m. Meeting reconvened at 9:27 a.m.

091260

Motion relating to the recommendations of the Licenses Committee relative to licenses.

Sponsors: THE CHAIR

08 ESCOBAR, Rogelio, Class "B" Beer application for "Los 3 Diamantes" at 2302 W. Forest Home Avenue.

Special Letter

Applicant at the table, 2206 S. Muskego Ave., Jose Escobar, 2206 S. Muskego Ave., at the table as translator. Ald. Robert Donovan also at the table.

Ald. Hamilton moves to make a letter provided by the applicant part of the record. Prevailed 5-0.

Ald. Kovac moves to amend the application to reflect a service-bar only designation. Prevailed 5-0.

No neighborhood objectors present when called.

Grant by Ald. Zielinski as amended despite items in the notice. Prevailed 5-0.

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

08 SINGH, Sarbjit, Agent for "JP Food & Liquor, Inc.", Class "A" Liquor & Malt application for "Zen's Liquor" at 2223 W. Forest Home Avenue. Letter

Special

Applicant at the table, 2223 W. Forest Home Ave. Atty. Michael Maistelman at the table as counsel. Ald. Robert Donovan at the table also at the table.

Atty. Maistelman requests an adjournment of the matter to give him more time to prepare.

No neighborhood objectors present when called.

Ald. Coggs moves to hold to the call of the chair. Prevailed 5-0.

A motion was made by ALD. COGGS that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

02 AMER, Mohammad A., Agent for "Payless Auto & Auto Repair, LLC", Secondhand Motor Vehicle Dealer renewal application with change of officer and shareholder for "Payless Auto & Auto Repair" at 4357 N. 60th Street. (expires 3/31/10)

Special Letter

Applicant at the table, 6103 S. 31st St. Sherman Morton, Legislative Aide to 2nd District Alderman Joe Davis, Sr., also at the table.

No neighborhood objectors present when called.

Grant by Ald. Kovac. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

02 CHO, Duk R., Agent for "Golden Ark Jewelry Corp.", Precious Metals & Gem Dealer application for "Golden Ark Jewelry" at 4141 N. 56th Street.

New Location

Special Letter

Applicant at the table, 6001 N. Lake Dr., Whitefish Bay. Jin Kim, 10850 N. Oriole Lane, Mequon at the table as translator. Sherman Morton, Legislative Aide to 2nd District Alderman Joe Davis, Sr., also at the table.

Mr. Morton says that Ald. Davis has concerns that the location may turn into a pawn shop.

The applicant says that he will not be buying used jewelry and then selling it. Mr. Morton says that he has not received any plan of operation indicating exactly what the applicant is planning to do with the license.

Ald. Hamilton moves to hold to the call of the chair. Prevailed 5-0.

A motion was made by ALD. HAMILTON that this Motion be AMENDED. This

motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

02 GREWAL, Pritpal S., Agent for "P&J Liquor, LLC", Class "A" Liquor & Malt renewal application for "P&J Liquor" at 7900 W. Silver Spring Drive. (expires 3/24/10)

Special Letter

Applicant at the table, W174 N10148 Tanglewood Dr., Germantown. Sherman Morton, Legislative Aide to 2nd District Alderman Joe Davis, Sr., also at the table.

Mr. Morton says that the alderman is in favor of the license, but that the neighbors have contacted Ald. Davis with concerns about the cleanliness of the location.

No neighborhood objectors present when called.

Grant by Ald. Zielinski. Prevailed 5-0.

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

10 PULS, Susan B., Agent for "Mother of Good Counsel Congregation", Class "B" Beer – Service Bar Only application for "MGC" at 3001 N. 68th Street. New Location

Applicant at the table, 3178 N. 91st St. Ald. Michael Murphy also at the table.

Ald. Murphy says that he is in support of the license.

Grant by Ald. Coggs. Prevailed 5-0.

A motion was made by ALD. COGGS that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

10 GEORGE, Olayinka M., Secondhand Motor Vehicle Dealer – Wholesale Only renewal application for "Yinka Motors" at 5318 W. Center Street. (expires 3/31/10) Special Letter

Applicant at the table, 5318 W. Center St. Ald. Michael Murphy also at the table.

No neighborhood objectors present when called.

Ald. Murphy says that he has no objections.

Grant by Ald. Kovac. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Ave 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

10 ROST, SR, Richard R., Junk Collector Truck application for "DNR Auto Repair" at 5722 W. Burleigh Street.

Special Letter

Applicant at the table, 7811 W. Lisbon Ave. Ald. Michael Murphy also at the table.

The applicant says that he has had the license at the location and simply changed trucks.

No neighborhood objectors present when called.

Ald. Murphy says that he has no objections.

Grant by Ald. Hamilton. Prevailed 5-0.

A motion was made by ALD. HAMILTON that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

06 KAUR, Rajinder, Agent for "DWN, Inc.", Class "A" Liquor & Malt renewal application for "Magic Food" at 2879 N. 16th Street. (expires 4/11/10)

Special

Applicant at the table, 2518 W. Wisconsin Ave. Armjit Singh, general manager of the store and Marvin Pratt, Marvin Pratt and Associates, also at the table.

Neighborhood objectors present:

Ruby Johnson-Harden, 2878 N. 18th St., employee of Hopkins Street School. She is in opposition to the license.

Pastor Mary Kannass, 18050 Redvere Dr., Brookfield, pastor at Hephatha Lutheran Church at 1720 W. Locust St. She is in opposition to the license.

Adrien Thomas, 3000 N. Sherman Blvd., of the Milwaukee Reality Check Coalition. Mr. Thomas says that he is neither in support of or opposed to the license.

Neighborhood supporters:

Barbara Cooper, 2846 N. 16th St. She is in support of the license. Lozell White, 1610 W. Hadley St. He is in support of the license. Charisha Allen, 2832 N. 16th St., President of Mothers of the Struggle. She is in support of the license.

Grant by Ald. Coggs despite the items in the notice. Prevailed 5-0.

A motion was made by ALD. COGGS that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

03 NAPOLES CARRERA, Arturo, Agent for "Iana Enterprises, LLC", Class "B"

Tavern application and request for a permanent extension of premises to include basement storage for "Fajitas Grill" at 1673 N. Farwell Avenue. Special Letter

Applicant at the table, 2145 W. Greenbriar Ct., #1B, Oak Creek.

No neighborhood objectors present when called.

Grant by Ald. Kovac. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

03 PABST, Isaac K., Agent for "Prospector Partnership, LLC", Class "B" Tavern and Tavern Amusement (Cabaret/Nite Club) applications and request for a permanent extension of premises to include a patio for "Vintage" at 2203 N. Prospect Avenue.

Special Letter

Applicant at the table, 2839 Wildwood Rd., Oshkosh.

Ms. Grill says that the applicant requests that the application be amended to change the Tavern Amusement application to a Tavern Dance application.

Ald. Kovac moves to amend the application to apply for a Tavern Dance license instead of a Tavern Amusement license. Prevailed 3-0. (Ald. Coggs and Ald. Zielinski excused).

No neighborhood objectors present when called.

Grant by Ald. Kovac as amended. Prevailed 4-0. (Ald. Coggs abstaining)

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Hamilton, Zielinski and Kovac

No 0

Abstain 1 - Coggs

03 SOTILE, Michael T., Agent for "Lemon Lounge, LLC", Class "B" Tavern and Instrumental Music renewal applications for "Lemon" at 2846 N. Oakland Avenue. (expires 4/16/10) Special Letter

Applicant at the table, 1940 N. Prospect Ave. #20.

No neighborhood objectors present when called.

Grant by Ald. Kovac despite items contained in the notice. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

03 DE PALMA, Monica J., Agent for "M De Palma, LLC", Class "B" Tavern and Record spin renewal applications for "Monica's on Astor" at 1228 N. Astor Street. (expires 4/10/10) Special Letter

Applicant at the table, 2200 N. Lake Dr.

Neighborhood objector present:

Anita Gillis, 1018 E. Knapp St. She is in opposition to the license.

Grant by Ald. Kovac with a warning letter based on neighborhood objections. Prevailed 5-0.

A motion was made by ALD. KOVAC that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

15 KANG, Avtar S., Class "A" Malt application for "Skyway Food Mart" at 2601 N. 35th Street.

Special Letter

Applicant at the table, 1402 W. Amann Way, Oak Creek. Alex Runner, Staff Assistant to District 15 Alderman Willie Hines, Jr., also at the table.

Grant by Ald. Hamilton. Prevailed 4-0. (Ald. Kovac excused)

A motion was made by ALD. HAMILTON that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Hamilton and Zielinski

No 0

Excused 1 - Kovac

15 WRIGHT, Doris J., Class "B" Tavern application for "New Brother's Lounge" at 2779 N. 12th Street.

Special Letter

Applicant at the table, 2436 W. Atkinson Ave. Eloise Wroten, current licensee of 2779 N. 12th St. and Alex Runner, Staff Assistant to District 15 Alderman Willie Hines, Jr., also at the table.

No neighborhood objectors present when called.

Mr. Runner says that the alderman is generally supportive of the license and asks that the applicant work with the neighborhood.

Grant by Ald. Hamilton despite items contained in the notice. Prevailed 5-0.

A motion was made by ALD. HAMILTON that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

14 FRENN, JR, Richard G., Agent for "CMAK, LLC", Class "A" Liquor & Malt application for "Bert's Liquor in Bay View" at 2523 E. Oklahoma Avenue. Letter

Special

Applicant at the table, 9217 W. Hadley St. Atty. Thomas Frenn at the table as counsel.

No neighborhood objectors present when called.

Grant by Ald. Zielinski. Prevailed 5-0.

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

14 NIELSEN, Mark V., Agent for "Marcat, LLC", Class "B" Beer & "C" Wine applications for "Hue Restaurant" at 2691 S. Kinnickinnic Avenue. Letter

Special

Applicant at the table, 2448 S. Burrell St. Carina Tran, 2404 S. Howell Ave.

No neighborhood objectors present when called.

Grant by Ald. Zielinski despite items contained in the notice. Prevailed 5-0.

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 5 - Bohl, Coggs, Hamilton, Zielinski and Kovac

No 0

14 PATEL, Paresh C., Agent for "MPR Corporation", Class "A" Liquor & Malt application for "Hub Supermarket" at 2277 S. Howell Avenue.

Special Letter

Applicant at the table, 1615 N. Sunnyslope Rd. Racine. Robert Brasted, 2201 S. Ellis St., employee of the establishment, also at the table.

Neighborhood objectors present:

Dirk Krause, 807 E. Otjen St., is opposed to the license. Amarjit Virk, owner of a liquor store at 2632 S. Kinnickinnic Ave. Pravhdeep Virk, son of the owner of 2632 S. Kinnickinnic Ave. Philip Markey, owns a liquor store at 3155 S. Howell Ave.

Neighborhood supporters:

Alan Sparks, 2224 S. Lenox. Lucky Wolf, 2325 S. Howell Ave. Laurie Daniell, 2585 S. Howell Ave. James Fahy, 3627 E. Squire, Cudahy David Saldivar, 2325 S. Howell Ave., #1102. David Furst, 2325 S. Howell Ave. H John Butzin, 2325 S. Howell Ave. #1108. Alan Marefka, 337 E. Smith St.
Dennis Waller, 2201 S. Ellis St.
James Buczak, 2212 S. Robinson.
Laurie Ihrcke, 2212 S. Robinson Ave.
Vincent Collins, 2329 S. Kinnickinnic Ave.
David McCormack, 2212 S. Robinson Ave.
Kevin Davis, 220 E. Smith St.
Carmen Bell, 325 E. Lincoln Ave.
Dennis Rewolinski, 939 E. Lincoln Ave.
Anthony Golueiff, 1753 S. Kinnickinnic Ave.

Ald. Zielinski moves to make a concentration map dated March 2, 2010 centered on 2277 S. Howell Ave. part of the record. Prevailed 5-0.

Ald. Zielinski moves to deny based on overconcentration of alcohol beverage outlets in the area. Prevailed 3-1. (Ald. Coggs excused and Ald. Bohl voting "no")

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 3 - Hamilton, Zielinski and Kovac

No 1 - Bohl

Excused 1 - Coggs

14 SINGH, Parshotam, Written statement setting forth a change in circumstance since the prior denial for concentration and neighborhood objections on 12/16/08 for 2305 S. Howell Avenue.

Special Letter

Applicant at the table, 10071 S. Richard Rd., Oak Creek. Atty. Andrew Arena at the table as counsel.

Atty. Arena says that Ald. Zielinski should not have a vote on the matter since his client deserves a fair tribunal.

Ald. Zielinski moves to make a concentration map centered on 2305 S. Howell Ave. dated March 2, 2010 part of the record. Prevailed 5-0.

Ald. Zielinski moves to deny the request for a change in circumstance. Prevailed 4-0. (Ald. Hamilton excused)

A motion was made by ALD. ZIELINSKI that this Motion be AMENDED. This motion PREVAILED by the following vote:

Aye 4 - Bohl, Coggs, Zielinski and Kovac

No 0

Excused 1 - Hamilton

Meeting recessed at 12:32 p.m. Staff Assistant Tobie Black